

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

DAVID PRUTCHI and PATRICK J. PAUL
Junior Party
(Patent 6,525,986)¹

v.

KARL M.J. LOFGREN, JEFFREY D. STAI, ANIL GUPTA,
ROBERT D. NORMAN and SANJAY MEHROTRA
Senior Party
(Application 10/785,373)²

Patent Interference No. 105,581 (JL)
(Technology Center 2800)

*Before: JAMESON LEE, RICHARD TORCZON and SALLY C. MEDLEY,
Administrative Patent Judges.*

LEE, Administrative Patent Judge.

¹ Based on Application 09/767,040, filed January 22, 2001. The real party in interest is Intermedics, Inc. Accorded the benefit of Patents 6,208,579, and 5,987,357. Patent 5,987,357 was filed July 30, 1997.

² Filed February 23, 2004. The real party in interest is SanDisk Corporation and Western Digital Corporation. Accorded the benefit of Patents 6,715,044, 6,317,812, 6,148,363, 5,806,070, 5,430,859, and Application 08/396,488. Application 08/396,488 was filed March 2, 1995.

Judgment -- Motions -- Bd. R. 127

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Prutchi's Motion 1 attacking the patentability of all of Lofgren's claims 40-54 corresponding to the count under 35 U.S.C. § 112, first paragraph, for lack of written description in the specification has been granted in a concurrent paper. It is now time appropriate for entry of judgment against Lofgren. Accordingly, it is

ORDERED that judgment as to the subject matter of Count 1 is herein entered against senior party KARL M.J. LOFGREN, JEFFREY D. STAI, ANIL GUPTA, ROBERT D. NORMAN and SANJAY MEHROTRA;

FURTHER ORDERED that senior party KARL M.J. LOFGREN, JEFFREY D. STAI, ANIL GUPTA, ROBERT D. NORMAN and SANJAY MEHROTRA is not entitled to claims 40-54 in its involved Application 10/785,373, which are herein finally refused;

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205; and

FURTHER ORDERED that a copy of this judgment be placed in the respective involved application or patent of the parties.

Interference 105,581
Prutchi v. Lofgren

By Electronic Transmission:

Attorney for Senior Party Lofgren:

Gerald P. Parsons, Esq.
William A. Birdwell, Esq.
DAVIS WRIGHT TREMAINE LLP
505 Montgomery Street, Suite 800
San Francisco, CA 94111
Tel: 415-276-6534
Fax: 415-276-6599
geraldparsons@dwt.com
billbirdwell@dwt.com

Attorney for Junior Party Prutchi:

Barbara Clarke McCurdy, Esq.
Naveen Modi, Esq.
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
901 New York Avenue, N.W.
Washington, D.C. 20001-4413
Tel: 202-408-4047
Fax: 202-408-4400
barbara.mccurdy@finnegan.com
naveen.modi@finnegan.com